

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 21 1983 New Priority Date MAR 20 1998
JUN 23 1989

Returned to applicant for correction

Corrected application filed Map filed MAR 21 1983

The applicant TONY P. SIMMONS

P.O. Box 1267 of Tonopah
Street and No. or P.O. Box No. City or Town

Nevada 89049 hereby make s application for permission to change the
State and Zip Code No.

point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 31053.
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

(Certified Deeds showing ownership of that portion of the place of use
Identify right in Decree.)

are being submitted herewith.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.1875
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation and domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13.
Describe as being within a 40-acre subdivision of public survey and by course and

T. 6 N., R. 40 E., whence the N.E. Corner of said Section 13 bears N. 57⁰
distance to a section corner. If on unsurveyed land, it should be stated.

46'07" E., 2958.25 feet distant.

6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T. 6 N.,
If point of diversion is not changed, do not answer.

R. 40 E., M.D.B.&M., whence the N.E. Corner of said Section 13 bears N. 44⁰

30' E., 108 feet distant.

7. Proposed place of use N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T. 6 N., R. 40 E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

(20 acres)

8. Existing place of use SW $\frac{1}{4}$ of Section 7, NW $\frac{1}{4}$ of Section 18, T. 6 N., R. 41 E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

and SE $\frac{1}{4}$ of Section 12, NE $\frac{1}{4}$ of Section 13, T. 6 N., R. 40 E., M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) It is proposed to drill, case, and equip
State manner in which water is to be diverted, i.e. diversion structure, ditches,

an underground well for irrigation and domestic purposes.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000.00

13. Estimated time required to construct works two (2) years

14. Estimated time required to complete the application of water to beneficial use four (4) years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Only a portion of the waters under Permit 31053 is to be changed,

20 acres within the same place of use or 20/640 of 6 c.f.s.

By s/Wallace T. Boundy (agent)
Wallace T. Boundy (Agent)
P.O. Box 242
Tonopah, Nevada 89049

Compared js/bl br/ja

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 31053 is issued subject to the terms and conditions imposed in said Permit 31053 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 46757 shall not exceed 80.0 acre-feet.

The total combined amount of water granted under this permit and Permit 46757 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 46757, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1875 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before March 18, 1984

Proof of completion of work shall be filed before April 18, 1984

Application of water to beneficial use shall be made on or before March 18, 1986

Proof of the application of water to beneficial use shall be filed on or before April 18, 1986

Map in support of proof of beneficial use shall be filed on or before April 18, 1986

Completion of work filed MAY 12 1985

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 12th day of AUGUST,

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

A.D. 19 83

Peter G. Morros
 State Engineer

2407 (Rev. 6-81)

JUN 07 1989

CANCELLED

BECAUSE OF FAILURE

CANCELLED

FEB 26 1998

BECAUSE OF FAILURE

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

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STATE ENGINEER

STATE ENGINEER

Cancelled 8-7-89

Cancellation rescinded 3-9-99